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# NEW MEXICO PUBLIC REGULATION COMMISSION

FROM THE OFFICE OF DISTRICT 4 COMMISSIONER LYNDA LOVEJOY

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**FOR IMMEDIATE RELEASE**

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**NEWS RELEASE**

## **PRC Commissioner Lovejoy Gives Quarterly Report**

**SANTA FE** – I am reporting directly to you, the constituents of District 4, on several topics that have taken place during my first quarter since returning to the New Mexico Public Regulation Commission (PRC). It has been a busy three months, and my intention here is to keep the electorate duly apprised of the work being done on the public's behalf.

In January, the first thing we at the PRC turned our attention to was the proposal presented by Public Service Company of New Mexico (PNM) regarding the San Juan Generating Station, and I personally sat in on a number of the evidentiary hearings held over a three-week period in January in Santa Fe. Weeks later, we organized an open meeting held in Farmington regarding this case, to present the opportunity for residents of San Juan County and the region to speak directly to all five of the elected commissioners of the PRC. I am proud to state that nearly 400 people showed up and addressed the PRC, letting us know how our decision on San Juan would affect you personally. This is an ongoing case and one I will continue to pour my energy into and pay attention to the ongoing developments.

During the 60-day session of the State Legislature, the PRC supported many important bills introduced by state lawmakers, a number of which had great potential impact on the function of the Public Regulation Commission. Others were of significant interest to the PRC due to the potential impact they would have on consumers and ratepayers throughout the state.

For instance, Senate Bill 193 and its partner legislation—House Bill 626—sought to greatly reduce the PRC's regulatory powers regarding CenturyLink. I opposed these deregulation bills that were pushed by CenturyLink. My reason for not supporting this legislation was that these deregulation bills would have essentially and drastically reduced consumer protection and quality of service standards presently in place. There would have been no protection for consumers, and less focus on local services as CenturyLink would have focused on their expansion of broadband services. Both bills ended up in the Senate Judiciary Committee and never left.

House Bill 330 was an attempt to make consumer rates and rules uniform for all co-op customers – tribal and nontribal. However, due to tribal sovereignty, this simply could not be the case. I opposed House Bill 330, due to the legislation seeking to hinder tribal sovereignty. This legislation did not come to pass.

House Bill 272 sought to bring ridesharing services under the regulation of the PRC by providing a framework that companies, such as Uber and Lyft, could operate within. I saw serious flaws with this legislation, including the failure to lay out any mechanism to require vehicle inspections or follow Department of transportation guidelines on safety. Another concern of mine was the fact that Transportation Network Carrier (TNC) drivers were not required to be tested for drugs or alcohol initially, nor were they required to submit to random testing at any time during their employment. HB 272 further stated that the app utilized does not fall under what the New Mexico Motor Carrier Act describes as a transport company. I disagreed, because they companies still transport and are financially compensated. Several states including California, where both of these companies are based, have placed TNCs under their Motor Carrier Acts and their regulatory commissions, however, the PRC's oversight is extremely limited in New Mexico. I had many concerns with this legislation, and did not believe it was good public policy as written. The Senate Judiciary Committee adjourned before the legislation was heard by state lawmakers. The PRC has since taken up the task of defining rules under which TNCs can legally operate within the state.

These are just a handful of key pieces of legislation that I tracked during the 2015 legislative session.

During the first quarter of 2015, I along with District 4 staff were able to meet with representatives of companies—including Windstream, Frontier and Sacred Wind—who provide services to consumers within the district. These face-to-face meetings give us a chance to discuss upgrade plans being considered by each company, and make me personally aware of the upgrades my constituents may expect. I feel it is beneficial for me to stay informed, and that it is equally beneficial that the companies understand my priorities regarding services and expectations for the consumers of District 4.

While PRC Commissioners hold our case management meetings every Wednesday at 9:30 a.m., we have added an additional monthly meeting to handle administrative matters. The administrative meetings are held on the last Thursday of every month at 9:30 a.m. Keeping these meetings separate will allow commissioners to be kept abreast of budgetary matters, and will allow commissioners to compartmentalize administrative matters separate from regulatory matters. The administrative meetings are also open to the public, who may attend in person or watch the proceedings streaming live by logging on to <http://nmprc.state.nm.us/cameras/angleHD.html>.

In March, the Public Regulation Commission hired David Martinez of San Ildefonso Pueblo as the PRC's Compliance Officer/Native American Liaison, within the Consumer Relations Division. I emphasized the importance of the Native American liaison being a tribal member. David will be handling outreach to and tax exemptions for New Mexico's tribal members, and can be reached directly at (505) 827-6967 and (toll free) at 1-888-427-5772. Email David at [David.Martinez3@state.nm.us](mailto:David.Martinez3@state.nm.us).

Also in March, I attended both the Eastern Navajo Agency Council and the Northern Navajo Agency Council meetings. Membership is comprised of chapters within each agency. The members discuss important governmental issues that pertain to water, land and economic development issues that make their way up be considered by the tribal councils and/or the tribal executive level, and serve as a conduit, a voice for local communities. Attending these council meetings is very important to me, and is my way of communicating the progress of anything in general that may affect tribal communities by way of services.

Those who work and live within District 4 are encouraged to contact myself and staff members with any concerns. I can be reached in any number of ways. By mail: Lynda Lovejoy, Vice-Chair/Commissioner – District 4; 1120 Paseo De Peralta; P.O. Box 1269; Santa Fe, N.M. 87504. By phone: (505) 827-8019. By email: [Lynda.Lovejoy@state.nm.us](mailto:Lynda.Lovejoy@state.nm.us).

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